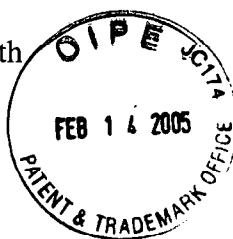


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Attorneys for Petitioner
Arturo Santana Gallego

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ARTURO SANTANA GALLEGU,

Petitioner,

vs.

SANTANA'S GRILL, INC.,

Registrant.

[Consolidated]

Cancellation Nos. 92043152
 92043160
 92043175

**PETITIONER'S MOTION TO SUSPEND
CANCELLATION PROCEEDINGS**



02-14-2005

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #66

PETITIONER'S MOTION TO SUSPEND CANCELLATION PROCEEDINGS

Commission for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
Attn: Box TTAB NO FEE

Pursuant to 37 C.F.R. § 2.127(d), Petitioner requests that the Trademark Trial and Appeal Board (the "Board") suspend the cancellation proceedings in light of the Motion for Summary Judgment currently pending before the Board which is dispositive to all issues in the consolidated cancellation proceedings.

DATED: February 10, 2005

VAN ETEN SUZUMOTO & BECKET LLP

By:



M. Cris Armenta

Attorneys for Petitioner, Arturo Santana Gallego

PROOF OF SERVICE, STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1620 26th Street, Santa Monica, CA 90404.


On February 11, 2005, I served the following document(s) described as **PETITIONER'S MOTION TO SUSPEND CANCELLATION PROCEEDINGS** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

SEE ATTACHED LIST

- ☒ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Santa Monica, California, on that same day following ordinary business practices. (C.C.P. § 1013 (a) and 1013a(3))
- ☐ **BY FACSIMILE:** I caused said document(s) to be transmitted by facsimile pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was (310) 315-8210. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The document was transmitted by facsimile transmission, and the sending facsimile machine properly issued a transmission report confirming that the transmission was complete and without error.
- ☐ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder. (C.C.P. § 1013(d)(e))
- ☐ **BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of the addressee(s). (C.C.P. § 1011(a)(b))
- ☐ **BY PERSONAL SERVICE:** I personally delivered such envelope(s) to the addressee(s). (C.C.P. § 1011)

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 11, 2005, at Santa Monica, California.


Kija Bales

SERVICE LIST

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San Diego, CA 92101